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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

14 ROBERT P. MOSIER as Receiver for
15 PRIVATE EQUITY MANAGEMENT
16 GROUP, INC. and PRIVATE EQUITY
MANAGEMENT GROUP, LLC and
their subsidiaries and affiliates,

17 Plaintiff,

18 || VS.

19 STONEFIELD JOSEPHSON, INC.,
CPAs, a California Corporation; and
20 DOES 1-10 inclusive.

21 Defendants.

CASE NO. 2:11-cv-02666 PSG (Ex)
Assigned to: Hon. Philip S. Gutierrez

**PLAINTIFF'S OBJECTIONS TO
DEFENDANT'S REQUEST FOR
PUBLICATION OF COURT'S
JULY 30, 2013 DECISION**

DATE: No Hearing Scheduled
TIME: No Hearing Scheduled
CRTRM.: No Hearing Scheduled

23 Plaintiff Robert P. Mosier as Receiver for Private Equity Management Group,
24 Inc. and Private Equity Management Group, LLC and their subsidiaries and
25 affiliates (the "Receiver") hereby objects to the "Request for Publication of Court's
26 July 30, 2013 Decision" filed by Defendant Stonefield Josephson, Inc.
27 ("Stonefield") on August 26, 2013. Ninth Circuit Local Rule 36-1 provides that,
28 "Orders are not published except by order of the court." Ninth Circuit Local

1 Rule 36-4 allows parties to request publication by letter to the clerk, stating
2 concisely the reasons for publication. Plaintiff submits that the reasons for the
3 request for publication stated by Stonefield do not meet the criteria specified in
4 Ninth Circuit Local Rule 36-2, as the Court's order granting Stonefield's Motion for
5 Summary Judgment was a fact specific ruling on a motion for summary judgment.
6 Moreover, the Receiver filed a Notice of Appeal from the Court's July 30, 2013
7 Order granting Stonefield's Motion for Summary Judgment ("Order") on August 20,
8 2013. [Docket No. 156.] In light of the pendency of the appeal, publication of the
9 Order would be premature.

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11 DATED: August 28, 2013

Respectfully submitted,

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RUS, MILIBAND & SMITH
13 A Professional Corporation

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By:



RONALD RUS
16 Attorneys for Plaintiff
17 ROBERT P. MOSIER

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PROOF OF SERVICE

2 | STATE OF CALIFORNIA,

3 | COUNTY OF ORANGE

4 At the time of service, I was over 18 years of age and **not a party to this action**. I am
employed in the County of Orange, State of California. My business address is Von Karman
5 Towers, Seventh Floor, 2211 Michelson Drive, Irvine, California 92612.

6 On August 28, 2013, I served true copies of the following document(s) described as
7 **PLAINTIFF'S OBJECTIONS TO DEFENDANT'S REQUEST FOR PUBLICATION OF**
COURT'S JULY 30, 2013 DECISION on the interested parties in this action as follows:

ECF SERVICE LIST

9	Stephen J. Tully	stully@garrett-tully.com
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17		

BY E-MAIL OR ELECTRONIC TRANSMISSION: I caused a copy of the document(s) to be sent from e-mail address jmendez@rusmilband.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

22 Executed on August 28, 2013, at Irvine, California.

Jeannie Mendez
Jeannie Mendez